

EXHIBIT B - CONDITIONS OF APPROVAL
Plastino Development Plan/Coastal Development Permit DRC2015-00101

Approved Development

1. This approval authorizes:
 - a. a Development Plan/Coastal Development Permit to allow the construction of an 85,663-square foot self-storage facility on a 4.67-acre parcel. The proposed project would include the construction of the following components: 12 single-story storage buildings, a 492 square foot office, 1,200 square foot caretaker's unit with attached 495-square-foot garage; 18,470 square feet of landscaping and one storm water retention basin with 17,000 cubic feet of capacity. Related improvements including: a septic system/leach fields, parking, paving, retaining walls, lighting, sound wall and perimeter and fencing. A modification to waive the shade tree requirement of Land Use Ordinance Section 23.04.168.f is approved for the row of truck parking adjacent to Building E.
 - b. maximum height proposed for the project is 35 feet from average natural grade (plans show buildings at approximately 15 feet in height).

Conditions required to be completed at the time of application for construction permits

Site Development

2. **At the time of application for construction permits**, submit construction plans to the Department of Planning and Building for review and approval. The plans shall indicate the following and development shall be consistent with the approved plans (note: compliance with this condition shall also meet the intent of Mitigation Measure N-1):
 - a. A six-foot, solid masonry sound wall along the property frontage (outside of the setback) designed to reduce noise impacts to the outdoor living area of the residence. The wall may be reduced to four feet in height in front of the residence, where plans show that the outdoor living area is screened by the residence and a separate six-foot masonry wall to achieve the equivalent noise reduction.
 - b. Construction plans shall show residential construction details to reduce interior noise levels for the caretaker unit to meet standards in the Noise Element, consistent with the following:
 - 1) Air conditioning or a mechanical ventilation system
 - 2) Windows and sliding glass doors mounted in low air infiltration rate frames (0.5 cfm or less, per ANSI specifications)
 - 3) Solid core exterior doors with perimeter weather stripping and threshold seals
 - 4) Roof and attic vents should be baffled

Fire Safety

3. **At the time of application for construction permits**, all plans submitted to the Department of Planning and Building shall meet the fire and life safety requirements of the California Fire Code. Requirements shall include, but not be limited to those outlined in the Fire Safety Plan, prepared by CalFire for this proposed project and dated April 4, 2016.

Services

4. **At the time of application for construction permits**, the applicant shall provide a letter from Woodland Park Mutual Water stating they are willing and able to service the property.
5. Landscape and irrigation plans submitted for construction shall be consistent with the approved plans included in Attachment 4 of the staff report and shall demonstrate compliance with the Nipomo Mesa water conservation requirements of 22.98.070.F.2.c.

Public Works

6. **At the time of application for construction permits**, the applicant shall submit plans prepared by a Registered Civil Engineer to Caltrans to secure an Encroachment Permit and post a damage bond to install improvements within the state right-of-way in accordance with Caltrans Standards and Specifications. The plan is to include, as applicable:
 - a. Street plan and profile for widening State Route 1 to complete the project frontage to a State rural highway road section, and within necessary dedicated right-of-way easements.
 - b. Street plan and profile for widening State Route 1 at the project driveway for center left turn lane channelization in accordance with Caltrans encroachment permit requirements, and within necessary dedicated right-of-way easements.
 - c. Reconstruct, if required, the existing project access driveway in accordance with Caltrans encroachment permit requirements.
 - d. Drainage ditches, culverts, and other structures (if drainage calculations require).
 - e. Traffic control plan for construction in accordance with the California Manual on Uniform Traffic Control Devices (CA-MUTCD).
7. **At the time of application for construction permits**, provide evidence of one of the following: that an access easement over the adjacent property, as proposed, has been recorded with County Office of the Clerk-Recorder; or, that a constructive notice has been recorded stating that upon sale of either property by the owner that a shared access easement will be recorded as a condition of sale; or, that Caltrans has issued an encroachment permit for a new access driveway to the project site.
8. **At the time of application for construction permits**, the applicant shall submit complete drainage plans and report prepared by a licensed civil engineer for review and approval in accordance with Section 23.05.040 (Drainage) of the Land Use Ordinance. All drainage must be retained on-site and the design of the basin shall be approved by the Department of Public Works.
9. **At the time of application for building permits** and in accordance with Title 13.01 of the County Code, the applicant shall be responsible for paying to the Department of Public Works the South County Area 2 Road Impact Fee. The fee shall be imposed and shall be assessed for each building permit to be issued. These fees are subject to

change by resolution of the Board of Supervisors. The applicant shall be responsible for paying the fee in effect at the time of application for building permits.

10. **At the time of application for construction permits**, the applicant shall submit complete erosion and sedimentation control plan for review and approval in accordance with 22.52.120.
11. **At the time of application for construction permits**, the applicant shall submit evidence that a septic system, adequate to serve the proposal, can be installed on site that meets County Environmental Health requirements.

Mitigation Measures

12. **(MM V-1) At the time of application for construction permits**, the applicant shall submit final architectural elevations of all proposed structures to the Department of Planning and Building for review and approval in consultation with the Environmental Coordinator. The elevations shall show exterior finish materials, colors, and height above the existing natural ground surface. Colors shall minimize the structure massing of new development by reducing the contrast between the proposed development and the surrounding environment. Colors shall be compatible with the natural colors of the surrounding environment. Darker, non-reflective, earth tone colors shall be selected for walls, chimneys etc. and darker green, grey, slate blue, or brown colors for the roof structures. Exterior colors shall have a chroma and value of 6 or less.
13. **(MM V-4) At the time of application for construction permits**, the applicant shall provide an exterior lighting plan. The plan shall include the height, location, and intensity of all exterior lighting. All lighting fixtures shall be shielded so that neither the lamp nor the related reflector interior surface is visible from Highway 1. All lighting poles, fixtures, and hoods shall be dark colored. This plan shall be implemented prior to final inspection or occupancy, whichever occurs first. Security lighting shall be shielded so as not to create glare when viewed from Highway 1.
14. **(MM AQ-2) At the time of application for construction permits**, the following air quality measures shall be incorporated into the construction phase of the project and shown on all applicable plans prior to construction permit issuance:

Dust Control Measures: Construction activities can generate fugitive dust, which could be a nuisance to local residents and businesses in close proximity to the proposed construction site. Projects with grading areas that are greater than 4-acres or are within 1,000 feet of any sensitive receptor (from a review of the image provided in the project referral, it appears that there are residences within 1000 feet of the project site) shall implement the following mitigation measures to manage fugitive dust emissions such that they do not exceed the SLOCAPCD's 20% opacity limit (APCD Rule 401) or prompt nuisance violations (SLOCAPCD Rule 402):

- a. Reduce the amount of the disturbed area where possible;
- b. Use of water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site and from exceeding the APCD's limit of 20% opacity for greater than 3 minutes in any 60 minute period. Increased watering frequency would be required whenever wind speeds exceed 15 mph. Reclaimed (non-potable) water should be used whenever possible;

- c. All dirt stock pile areas should be sprayed daily and covered with tarps or other dust barriers as needed;
- d. Permanent dust control measures identified in the approved project revegetation and landscape plans should be implemented as soon as possible, following completion of any soil disturbing activities;
- e. Exposed ground areas that are planned to be reworked at dates greater than one month after initial grading should be sown with a fast germinating, non-invasive, grass seed and watered until vegetation is established;
- f. All disturbed soil areas not subject to revegetation should be stabilized using approved chemical soil binders, jute netting, or other methods approved in advance by the APCD;
- g. All roadways, driveways, sidewalks, etc. to be paved should be completed as soon as possible;
- h. Vehicle speed for all construction vehicles shall not exceed 15 mph on any unpaved surface at the construction site;
- i. All trucks hauling dirt, sand, soil, or other loose materials are to be covered or should maintain at least two feet of freeboard (minimum vertical distance between top of load and top of trailer) in accordance with CVC Section 23114;
- j. To prevent "track out," install and operate a 'track-out prevention device' where vehicles enter and exit unpaved roads onto paved streets. "Track-Out" is defined as sand or soil that adheres to and/or agglomerates on the exterior surfaces of motor vehicles and/or equipment (including tires) that may then fall onto any highway or street as described in California Vehicle Code Section 23113 and California Water Code 13304. The "track-out prevention device" can be any device or combination of devices that is effective at preventing track out, located at the point of intersection of an unpaved area and a paved road. Rumble strips or steel plate devices need periodic cleaning to be effective;
- k. Sweep streets at the end of each day if visible soil material is carried onto adjacent paved roads. Water sweepers shall use reclaimed water where feasible. Roads shall be pre-wetted prior to sweeping when feasible;
- l. All PM10 mitigation measures should be shown on grading and building plans; and,
- m. The contractor or builder shall designate a person or persons to monitor the fugitive dust emissions and enhance the implementation of the measures as necessary to minimize dust complaints, reduce visible emissions below the APCD's limit of 20% opacity for greater than 3 minutes in any 60 minute period. Their duties shall include holidays and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the APCD Compliance Division prior to the start of any grading, earthwork or demolition.
- n. For all days when the SLO County APCD Air Quality Index (AQI) for the MESA2 monitoring site is not forecasted to be "Good" (i.e. – the forecast is "Moderate" or worse), the project proponent will implement additional dust control measures to ensure construction activities are not contributing to deteriorating air quality. The 6-day forecast for the MESA2 forecast zone is available from the APCD website, slocleanair.org. This information should be used by all on-site workers to plan construction activities for days when the air quality is forecasted to be less than "Good". These measures shall include:

1. A water truck with an ample water supply must be on the project site at all times (including nights, weekends and holidays). Increase the watering frequency as necessary to prevent any visible dust generated on the project site from leaving the project site.
 2. Decrease vehicle speeds as necessary to minimize dust generation and prevent dust from leaving the project site.
 3. Provide training to all site workers regarding dust control policies and practices and maintain records of training.
 4. Provide a 24-hr phone number for the public to call with complaints regarding dust.
 5. Provide dust control for areas that will not be worked for at least 30 days in the future. Method should be approved in advance by APCD Compliance Division. Examples of dust control include chemical soil binders and jute netting.
 6. Additional measures as needed to ensure dust from the project site is not impacting areas outside the property boundary.
- o. Prior to commencement of construction activities, the applicant shall notify the APCD, by letter, that the above air quality mitigation measures have been applied.

Conditions Required Prior to Ground-Disturbing Activities

15. **Nesting Bird Protection - In the event that the site is fallow at the time of initiation of construction, the following shall apply to ensure protection of nesting birds:** Vegetation removal and initial site disturbance for any project elements shall be conducted between September 1st and January 31st outside of the nesting season for birds. If vegetation removal is planned for the bird nesting season (February 1st to August 31st), then preconstruction nesting bird surveys shall be required to determine if any active nests would be impacted by project construction. If no active nests are found, then no further mitigation shall be required.

If any active nests are found that would be impacted by construction, then the nest sites shall be avoided with the establishment of a non-disturbance buffer zone around active nests as determined by a qualified biologist. Nest sites shall be avoided and protected with the nondisturbance buffer zone until the adults and young of the year are no longer reliant on the nest site for survival as determined by a qualified biologist. As such, avoiding disturbance or take of an active nest would reduce potential impacts on nesting birds to a less-than-significant level.

16. **Special-Status Lizard Surveys - In the event that the site is fallow at the time of initiation of construction, the following shall apply to ensure protection of sensitive reptile species:** Prior to ground disturbing activities, a qualified biologist shall conduct a pre-construction survey within 30 days of initial ground disturbance (clearing, grubbing, grading) to identify whether any non-listed special-status upland wildlife species (i.e. coast horned lizard, silvery legless lizard) are using any portion of the project area where ground disturbance is proposed. If no special status reptiles are found, then no further mitigation shall be required.

If silvery legless lizards or coast horned lizards are observed within the project site

during the pre-construction survey, a biological monitor shall be present during initial ground disturbing and vegetation removal activities to implement a salvage and relocation effort for the silvery legless lizard and coast horned lizard.

Conditions to be completed prior to issuance of a construction permit

Fees

17. **Prior to issuance of a construction permit**, the applicant shall pay all applicable school and public facilities fees.
18. **Prior to issuance of construction permits**, the applicant shall comply with all Public Works requirements.

Mitigation Measures

19. **(MM BR-1) Prior to issuance of construction permits**, the applicant shall clearly delineate the location of high-visibility construction fencing within the project plans. The fencing shall be installed within the boundaries of the construction area in order to limit the use of heavy equipment and vehicles to existing roadways and defined staging areas.
20. **(MM BR-2) Prior to the issuance of construction permits**, the applicant shall include a measure within the construction plans which prohibits washing of concrete, paint, or equipment and refueling and maintenance of equipment outside of a designated area. Hay bales, sandbags, and sorbent pads shall be available to contain contaminated water and/or spilled fuel (in the event of a leak or spill). Construction equipment shall be inspected by the operator on a daily basis to ensure that equipment is in good working order and no fuel or lubricant leaks are present.
21. **(MM GS-1) Prior to issuance of construction permits** for the first phase of development, the applicant shall submit a copy of the approved Stormwater Pollution Prevention Plan (SWPPP) to the County Planning Department. The SWPPP shall apply to the project as a whole.
22. **MM N-1) Prior to issuance of construction permits**, the applicant shall submit plans showing the construction of a six-foot, solid noise wall along the property frontage (outside of the setback), which may be reduced to a minimum height of four feet directly in front of the residence where plans show private outdoor living area is adequately shielded from roadway noise by the residence and/or a separate six-foot masonry wall. The applicant shall implement the proposed colors and materials and proposed landscape plan which includes shrub and tree plantings on both sides of the noise wall.
 - a. Construction plans for the residence shall show construction details to reduce interior noise levels for the habitable space. Details shall be consistent with the Noise Element Standardized Mitigation Package for the Tier 1, 60-65 dB Ldn/CNEL improvements in Part II of the County Noise Element, which include:
 - a. Air conditioning or a mechanical ventilation system
 - b. Windows and sliding glass doors mounted in low air infiltration rate frames (0.5 cfm or less, per ANSI specifications)
 - c. Solid core exterior doors with perimeter weather stripping and threshold seals
 - d. Roof and attic vents should be baffled

23. **(MM T-1) Prior to issuance of construction permits**, the applicant shall submit final plans showing roadway improvements to Highway 1, including a two-way-left-turn-lane (TWLTL) which would extend from Highway 1/Sheridan Road to 135 feet east of the center line of the driveway. Plans shall be approved by the California Department of Transportation (Caltrans) prior to submittal to the County. The applicant shall obtain an Encroachment Permit from Caltrans for road widening and driveway installation.

Other Agency Encroachment

24. **(MM T-2) Prior to issuance of construction permits**, all work which encroaches into the Willow Road (SR 1) right-of-way shall require an encroachment permit issued by Caltrans. No County permits shall be issued without evidence of a Caltrans encroachment permit, or that a permit is not required.
25. **(MM T-4) Prior to issuance of construction permits** for the first phase of development, the applicant shall contribute to the South County Traffic Fee program.

Conditions to be completed prior to occupancy or final building inspection /establishment of the use

26. Landscaping in accordance with the approved landscaping plan shall be installed or bonded for before final building inspection. If bonded for, landscaping shall be installed within 60 days after final building. All landscaping shall be maintained in a viable condition in perpetuity.
27. **Prior to occupancy or final inspection**, whichever occurs first, the applicant shall obtain final inspection and approval from CalFire of all required fire/life safety measures.
28. **Prior to occupancy of any structure associated with this approval**, the applicant shall contact the Department of Planning and Building to have the site inspected for compliance with the conditions of this approval.
29. **Prior to occupancy or final inspection**, provide evidence that all State Route 1 widening and driveway improvements have been constructed in accordance with the State's Encroachment Permit and to the satisfaction of the Caltrans.

Mitigation Measures

30. **(MM V-2) Prior to occupancy or final inspection, whichever occurs first**, the applicant shall implement the proposed landscaping plan, consistent with the preliminary plan shown on the attached Figures. Final plant selection shall include low-water use (drought tolerant) plants only, consistent with the County-approved plant list and drip irrigation shall be used. In conjunction with the implementation of the landscaping plan, the applicant shall submit a letter, prepared by a qualified individual (e.g., arborist, landscape architect/contractor, nurseryperson) to the Department of Planning and Building stating that the planting has been completed.
31. **(MM V-3)** To guarantee the success of the landscaping, the applicant shall retain a qualified individual (e.g., arborist, landscape architect or contractor, nurseryman) to monitor the new vegetation until successfully established, on an annual basis, for no less than three years. The first report shall be submitted to the County Environmental Coordinator one year after the initial planting and thereafter on an annual basis until the

monitor, in consultation with the County, has determined that the newly planted vegetation is successfully established. The applicant, and successors-in-interest, agrees to complete any necessary remedial measures identified in the report and approved by the Environmental Coordinator.

32. **(MM T-3) Prior to final inspection and occupancy**, the applicant shall submit evidence that the conditions and requirements stipulated in the Caltrans Encroachment Permit, including the TWLTL along Highway 1, are completed to the satisfaction of Caltrans.

On-going conditions of approval (valid for the life of the project)

Standard on-going conditions of approval

33. This land use permit is valid for a period of 24 months from its effective date unless time extensions are granted pursuant to Land Use Ordinance Section 23.02.050 or the land use permit is considered vested. This land use permit is considered to be vested once a construction permit has been issued and substantial site work has been completed. Substantial site work is defined by Land Use Ordinance Section 23.02.042 as site work progressed beyond grading and completion of structural foundations; and construction is occurring above grade.
34. All conditions of this approval shall be strictly adhered to, within the time frames specified, and in an on-going manner for the life of the project. Failure to comply with these conditions of approval may result in an immediate enforcement action by the Department of Planning and Building. If it is determined that violation(s) of these conditions of approval have occurred, or are occurring, this approval may be revoked pursuant to Section 23.10.160 of the Land Use Ordinance.
35. **On-going condition of approval (valid for the life of the project)**, and in accordance with County Code Section 13.08, no activities associated with this permit shall be allowed to occur within the public right-of-way including, but not limited to, project signage; tree planting; fences; etc without a valid Encroachment Permit issued by Caltrans.

Mitigation Measures

36. **(MM AQ-1)** As of February 25, 2000, the APCD prohibited developmental burning of vegetative material within San Luis Obispo County. For any questions regarding these requirements, contact the APCD Enforcement Division at (805) 781-5912.